

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 TWELFTH STREET SW**  
**WASHINGTON DC 20554**

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June 28, 2007

John M. Torres, CEO  
El Sol Broadcasting, LLC  
1530 North Cass Street, Suite A  
Milwaukee, Wisconsin 53202

Re: El Sol Broadcasting LLC  
WJTI (AM), Racine, Wisconsin  
Facility Identification Number: 68759  
Special Temporary Authority

Dear Mr. Torres:

This is in reference to the request filed June 25, 2007, on behalf of El Sol Broadcasting LLC ("ESB"). ESB requests special temporary authority ("STA") to operate Station WJTI pursuant to Section 73.1615.<sup>1</sup> In support of the request, ESB states that Station WJTI has been silent since September, 2006, . ESB requests STA for operation daytime and nighttime from the site authorized by Construction Permit BMP-20061208ABK, due to delays encountered in the construction of the nighttime site.

Section 73.1615, which governs operation during modification of facilities, provides, *inter alia*, that AM licensees holding construction permits for nondirectional facilities may operate with temporary facilities to maintain, as nearly as possible, but not exceed, the size of the presently licensed coverage area. Our review indicates that the request complies with Section 73.1615, and that interference to other stations is not likely to occur. Our review further indicates that Station WJTI has been silent since September 9, 2006, and thus faces the loss of its license if it does not resume broadcasting on or before September 9, 2007.

Accordingly, the request for STA IS HEREBY GRANTED. Station WJTI may operate pursuant to Section 73.1615 and the terms and conditions of Construction Permit BMP-20061208ABK. In particular, operation during daytime and nighttime hours from the permit daytime site is authorized. **Operating power shall not exceed 0.35 kilowatt daytime and 0.049 kilowatt nighttime.** It will be necessary to further reduce power or cease operation if complaints of interference are received. ESB must notify the Commission when licensed operation is restored.<sup>2</sup> ESB must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. See 47 CFR § 1.1310.

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<sup>1</sup> WJTI is licensed for operation on 1460 kHz with 0.5 kilowatt daytime and 0.062 kilowatt nighttime, employing a nondirectional antenna (ND-2-U). Construction Permit BMP-20061208ABK authorizes relocation of the daytime and nighttime transmitters and operation from separate daytime and nighttime sites with 0.35 kilowatt daytime and 0.049 kilowatt nighttime, employing different nondirectional antennas daytime and nighttime (ND-2-U).

<sup>2</sup> See 47 CFR §§ 73.45(c), 73.51, 73.54, 73.61(b).

This authority expires on **December 28, 2007**.

Notwithstanding the grant of this STA or the expiration date specified herein, the station's license will expire as a matter of law if it does not resume broadcasting on or before September 9, 2007. See Pub. Law No. 104-104, 110 Stat. 56, Section 403(1) (1996) and *Order, Silent Station Authorizations*, FCC 96-218 (released May 17, 1996). See also *Public Notice*, Expedited Processing of Applications Filed by Silent Stations, DA 96-818 (May 22, 1996). The licensee must notify the Audio Division immediately upon resumption of broadcasting.

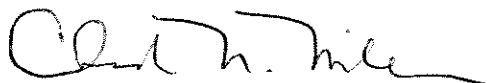
**STA Advisory:** Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,



Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: El Sol Broadcasting LLC